

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kristopher Lee Roybal,

Plaintiff,

File No. 24-cv-1652 (ECT/DTS)

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Paul Schnell, *Commissioner of Corrections,*
sued in his official capacity,

Defendant.

Magistrate Judge David T. Schultz issued a Report and Recommendation on October 28, 2024. ECF No. 52. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 52] is **ACCEPTED**.
2. Plaintiff's Motion to Certify this Complaint as a Class-Action Lawsuit [ECF No. 51] is **DENIED AS MOOT**.
3. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 27, 2024

s/ Eric C. Tostrud
Eric C. Tostrud
United States District Court